

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

PHILBERT GRAIG GRINSTEAD

PLAINTIFF

V.

CIVIL ACTION NO. 3:15-CV-89-SA-SAA

**BANK OF AMERICA, N.A.,
BANK OF NEW YORK MELLON, N.A., and
SPECIALIZED LOAN SERVICING, LLC**

DEFENDANTS

ORDER

Pursuant to a Memorandum Opinion issued this day, the Court finds the following:

- 1) The Plaintiff's Motion for extension of time [13] is GRANTED.
- 2) The Plaintiff's Motion to file a sur-reply [27] is GRANTED
- 3) The Defendants' Motion to Strike [35] is DENIED.
- 4) The Defendants' Motion to Dismiss [6] is GRANTED in part, and DENIED in part.
 - a. Defendant Bank of New York Mellon, N.A.'s Motion to Dismiss is DENIED as to Count II.
 - b. Defendant Specialized Loan Servicing LLC's Motion to Dismiss is GRANTED as to Counts IV, VI, and VII.
- 5) Because Plaintiff withdrew his fifth cause of action, there are no remaining claims against Specialized Loan Servicing, LLC and they are DISMISSED as a party defendant.

SO ORDERED this the 24th day of September, 2015.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE